

# **CHADDS FORD TOWNSHIP**

## **Board of Supervisors – Minutes**

June 1, 2005

The Board of Supervisors of Chadds Ford Township met in the Township Building on Wednesday, June 1, 2005. Present were Chairman George M. Thorpe, Vice-Chair Deborah Love D’Elia, and Garry Paul. Also present were Solicitor Hugh A. Donaghue, James C. Kelly of Kelly Engineers, and Richard J. Jensen our Building Inspector/Code Enforcement Officer.

### **CALL TO ORDER**

Mr. Thorpe called the meeting to order at 7:45 P.M. The Pledge of Allegiance was recited and emergency exits were noted.

### **STATE POLICE REPORT**

No report.

### **U. S. POSTMASTER**

Mr. Thorpe introduced the new Chadds Ford Postmaster, Kristin Shearer, who gave a brief history and description of the operations of the Chadds Ford Post Office and invited anyone who may have an interest to visit the Post Office for a tour at any time.

### **APPROVAL OF MINTUES**

Upon a motion and second (Paul/Thorpe) approved the Minutes of the Board of Supervisors’ meeting of May 9, 2005, revised May 31, 2005.

### **REPORTS**

#### **Supervisors**

Mr. Thorpe reported that all three Supervisors met on May 31, 2005 on a personnel matter.

#### **Treasurer’s Report**

Deposits May 2005	\$111,568.92
General Fund Disbursements	\$129,552.80

Escrow Disbursements	\$3,921.51
Cash Account Balances	\$710,746.42

Upon a motion and second (D'Elia/Paul) the Board of Supervisors approved the Treasurer's Report and authorized payment of invoices in the amount of \$129,552.80.

## Roadmaster's Report

In addition to Mr. Barakat's written report (attached) he announced that Saturday, June 4, 2005, is Council Hazardous Waste Collection day in Delaware County for disposal of hazardous items; i.e. old oil paint, etc. at the Emergency Service Training Center in Darby.

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## Roadmaster's Report (cont.)

He also announced that this is "Lane Courtesy Month" which is to encourage you to be courteous and move to the right lane because that is not the law in Pennsylvania.

Today Mr. Barakat attended the PennDOT US 202 Executive Committee Session, a meeting held quarterly regarding the Route 202 widening project which is several years away.

Verizon has finally removed the broken utility pole at Heyburn Road and Route 1.

Upon a motion and second (D'Elia/Paul) the Board of Supervisors voted to reject the sole bid for the 2005/2006 Road Program and authorize the re-bidding process to begin. Mr. Kelly advised that the only way PennDOT would permit award of a contract with a single bidder would be with the certification of our Engineer that it was a reasonable bid. Because Mr. Kelly was aware of projects of a similar nature, it was his opinion that this bid was way out of line.

Several residents expressed concern about the location of the new stop signs at Ridge and Heyburn Roads. Mr. Barakat and Mr. Thorpe both explained that PennDOT adheres to their guidelines.

Another resident mentioned that the stop signs at Oakland and Webb Roads are not visible because of foliage.

## Planning Commission

William Taylor reported on the May 11, 2005 meeting where Painters Crossing Three (Henderson), Marshall Estates (Dickinson), and Dickinson/Farrell applications were reviewed and discussion of revisions to our noise ordinance continued.

Robert Mark inquired about the availability of a copy of the noise ordinance. Mr. Taylor advised that it would be discussed at the next regular meeting of the Planning Commission and, if finalized, it would be passed on to the Board of Supervisors for approval.

## Zoning Hearing Board

Mr. Paul read the Minutes of the May 18, 2005 meeting prepared by Edward Wandersee (copy attached).

Mr. Jensen mentioned that the Weymouth property pool house expansion would be added to the June 15, 2005 hearing agenda. The Board agreed to let our Zoning Hearing Board render a decision on this matter.

## HARB

Mr. Jensen stated that there was no meeting of the HARB during the previous month; however, a meeting has been scheduled for next Tuesday, June 7, 2005 for repainting Mr. Blackburn's house across the street from the Township Building.

Mr. Jensen reported that Mr. Grace made application today to remove a building on the Chadds Ford Inn property. This application was not made within the required time period; however, the HARB may still review his application if someone attends their meeting.

## Sewer Authority

Vince DelRossi reported on the Sewer Authority activity for the previous month (copy attached).

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## Sewer Authority (cont.)

Ms. D'Elia announced that Vince DelRossi is the new Sewer Authority Chairman.

## Building Inspector/Code Enforcement Officer

Mr. Jensen reported issuance of the following permits during the previous month: 2 grading, 5 residential alterations, 3 plumbing, 1 commercial alteration, 2 new homes, 2 new wells, and 2 electrical. In addition, ten Certificates of Occupancy were issued for completed projects.

Mr. Jensen had a conversation with Ken Kynett today who wants to postpone the June 6, 2005 meeting for Calvary Chapel because plan revisions have not been completed. An extension letter has been received. Alternative dates are July 18, 19, 21, 26 or 28, 2005. Someone will be present on June 6 to announce the new meeting time and date.

## Engineer

Mr. Kelly distributed his report (copy attached).

Upon a motion and second (D'Elia/Paul) the Board of Supervisors approved the Stonebrook I release of escrow in the amount of \$92,770.20, leaving a balance of \$357,229.80.

Upon a motion and second (D'Elia/Paul) the Board of Supervisors approved the Stonebrook II release of escrow in the amount of \$19,478.70, leaving a balance of \$66,600.56, pending Mr. Jensen's final approval.

Upon a motion and second (D'Elia/Paul) the Board of Supervisors approved the Henderson Lot 11 release of escrow in the amount of \$151,843.13, leaving a balance of \$98,181.88.

Approval of the above three escrow releases are pending final determination by Mr. Jensen that they are all Letters of Credit.

## Open Space Committee

Deborah Reardon reported for the month of May (copy attached).

Mr. Paul commented that he had the pleasure of attending the Commonwealth's Byway dedication at Longwood Gardens on May 23, 2005. He also expressed his appreciation to Mrs. Reardon for all of her efforts.

## Township Properties Committee

No report.

## Financial Advisory Board

Ms. D'Elia reported on the May 26, 2005 meeting (copy attached).

Upon a motion and second (Thorpe/Paul) the Board of Supervisors approved the deposit of the Turner's Mill loan proceeds in the amount of \$600,000.00 at Keystone Bank to be transferred to Commerce Bank for a better interest rate. When additional funds are received, monies will be consolidated and

better interest rates will again be investigated.

## **PUBLIC COMMENT**

Paul Koch announced that Sunday, June 12, 2005 (rain or shine) is the First Annual Chadds Ford Community Day to be held at the Chadds Ford Historical Society from 1:00 to 5:00 P.M. sponsored by the Civic Association of Chadds Ford.

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## **NEW BUSINESS**

### **Dickinson/Farrell Lot Line Change Application**

Mr. Jensen briefly described this relocation of a lot line between Dickinson/Farrell for a driveway in the Keepsake development that straddles the property line. This plan has been approved by the Planning Commission.

Upon a motion and second (Paul/D'Elia) the Board of Supervisors approved this application, and signing of Resolution 2005-16, with the stipulation that this plan be recorded within one week of the Supervisors' execution of the plan.

### **Proposed Fee Resolution Revision**

Mr. Jensen presented a proposed Resolution to amend our Fee Schedule to include a \$2.00 service fee for the State mandated Uniform Construction Code for all Building, Plumbing, Electrical and Mechanical permits.

Upon a motion and Second (D'Elia/Paul) the Board of Supervisors approved Resolution 2005-15 to amend our Township Fee Schedule to include the Uniform Construction Code service fee.

## **OLD BUSINESS**

### **Route 1 Overlay Ordinance**

Mr. Donaghue commented that it would be the Board's decision to entertain comment about this Ordinance, decide on this matter tonight, or wait until the next meeting.

Mr. Donaghue announced that notice of this proposed ordinance was sent to Painters Crossing on February 14, 2005, via first-class mail. Notice appeared in the newspaper on both February 4 and 11, 2005. Posting was made on Route 1 by Kelly Engineers' office at least one week prior to hearing. The Chadds Ford Planning Commission made comments on the proposed ordinance. The Delaware County Planning Commission also commented on the proposed ordinance. There

was a change to the proposed amendment and public notice was provided prior to the hearing.

Mr. Donaghue stated that a suggestion had been made that this has been called the “Baltimore Pike Overlay District Ordinance” and therefore not a fair description of the ordinance. It is true that in the Township files, and in reference to this matter, it has been identified as such, but that is not a fair characterization of the ads that appeared in all of the newspapers. The ads specifically state what the changes were and how they affected the Township residents either in the Baltimore Pike Overlay District or Township residents in total.

At the last meeting regarding this ordinance, comments were made that the Delaware County Planning Commission must review this ordinance again because of the changes made. Mr. Donaghue referred that the appropriate section of the MPC does not state that this is required. In addition, the Delaware County Planning Commission Solicitor has written to Mr. Donaghue indicating that, in his opinion, another review was not necessary.

Hearings were held on March 2, March 7, April 11 and May 25, 2005.

Mr. Donaghue highlighted provisions of this ordinance.

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Route 1 Overlay Ordinance (cont.)

Mr. Thorpe prepared and read a brief background of how this ordinance originated stating that in 2001 it became evident that, in light of development trends in neighboring townships, there was a need to examine the overall planning of development in order to shape our future by our own visions, as well as protect our natural resources rather than reacting to forces acting upon our Township. He noted problems such as persistent flooding of Ring and Creek Roads during most rainstorms; erosion complaints; reduced screening of properties; increased impervious coverage; increased complaints about conditions of on-site wells; disturbance of natural resources caused by increased population and development; and loss of character and historic areas due to increased development. It was felt that there was a desire to preserve the attractive quality of life in Chadds Ford Township and a need to protect and enhance the quality of our streams, flood plains, wetlands, surface water bodies, ground waters, watershed areas, wellhead areas, steep slopes, woodlands, scenic vistas, and historic areas. The Board commissioned

Spotts, Stevens & McCoy initially to review the most critical area, the Baltimore Pike corridor. In addition, two outside consultants, Tom Comitta and John Snook, were retained to develop the ordinances that would accomplish the goal of realizing our visions of what our township should be in the future.

Ms. D'Elia commented on how challenging and emotional the process of enacting this ordinance became and that it has her full support.

Mr. Paul felt that waiting an additional two weeks to vote would not yield any information that had not been discussed over the last few months.

George Watkins commented that he felt it had been decided at a previous hearing to remove "existing or designated" from Page 2, A.b.

Upon a motion and second (D'Elia/Thorpe) the Board of Supervisors approved Ordinance No. 110, "Baltimore Pike Overlay District" as read by Mr. Donaghue with the exception of the deletion of terminology of "existing or designated" from Page 2.

The Township Secretary was asked to forward a copy to Delaware County within thirty days of execution.

## **ESCROW RELEASES**

Upon a motion and second (D'Elia/Thorpe) the Board of Supervisors approved the following escrow releases totaling \$3,921.51:

- Riley Riper Hollin & Colagreco (ZHB) \$521.57
- Chadds Ford Township (Township expenses for Riley Riper ZHB)  
\$399.94
- Joan & Robert Tremain (Grading)  
\$800.00
- Anthony & Sylvan Pools (Swankowski - Grading)  
\$800.00
- Paul S. Bell & Lisa R. Spera (Grading)  
\$700.00
- Chadds Ford Township (Reigger/Jay – Grading)  
\$700.00

## **CODIFICATION**

Mr. Donaghue presented the Board of Supervisors with a proposed final draft of the Codification of our Ordinances.

Mr. Paul expressed his hope that everybody will benefit in the future from the hours of work by many, especially the Board members, in preparation of Ordinance 110.

## **ADJOURNMENT**

The meeting was adjourned at 9:35 P.M.

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Secretary

Gail G. Force, Acting